

Document: AROC Notice

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**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #00-228

To: Chairperson of the Administrative Rules Oversight Committee
George Angelone, Staff Attorney, Administrative Rules Oversight Committee

From: Jodi Kathryn Stein, Staff Attorney
Family and Social Services Administration

Re: Promulgation of Rules to Implement IC 12-10-16

Date: December 11, 2000

cc: Grace Chandler, Director, Indiana Prescription Drug Program
Catherine Rudd, Deputy General Counsel, FSSA

Through Senate Enrolled Act 108 (Public Law 21-2000), the 2000 General Assembly added a new chapter to Article 10, IC 12-10-16, to establish the Indiana Prescription Drug Program. IC 12-10-16-5(a) permits the Office of the Secretary of Family and Social Services to adopt permanent rules to implement the program. In addition, IC 12-10-16-5(b) permits the Office to adopt emergency rules to implement the program on an emergency basis.

On behalf of the Office, I am submitting this memo to the Administrative Rules Oversight Committee in compliance with IC 4-22-2-19(c)(2). The Office did not begin the rulemaking process within sixty (60) days after the effective date of the statute because it was required by IC 12-10-16-3 to implement the recommendations of Prescription Drug Advisory Committee, also newly established by the 2000 General Assembly under IC 12-16-10-15. The Prescription Drug Advisory Committee made its recommendations to the Governor and the Family and Social Services Administration on September 1, 2000, as required by IC 12-16-10-15(d). The Office adopted those recommendations and then developed the program and the rules. The Office submitted a notice of intent to adopt rules to the Legislative Services Agency on October 6, 2000, to begin the rulemaking process. In addition, the Office intends to exercise its discretionary rulemaking authority to adopt emergency rules to take effect on January 1, 2001.